

REMARKS

Claims 1-34 are pending and subject to restriction and/or election. Applicants have amended the specification.

The Action stated that the present application contains claims directed to the following patentably distinct species, from each of two groups of species, categorized as follows:

“Implant” group

Species A: Figure 2A

Species B: Figure 2B

Species C: Figure 2C

Species D: Figure 2D

Species E: Figure 2E

Species F: Figure 2F

Species G: Figure 2G

Species H: Figure 2H

Species I: Figure 2I

Species J: Figure 25

Species K: Figure 26

Species L: Figure 27

Species M: Figure 28

Species N: Figure 30

“Tissue treatment system” group

Species A: Figure 1

Species B: Figure 8

Species C: Figure 10

Species D: Figure 14-16

Species E: Figure 17-19

The Action stated that applicants are required under 35 U.S.C. §121 to elect a single species, from each of the two groups of species cited above, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicants hereby elect, without traverse, to prosecute Species A in each of the two groups of species cited in the Action in the event that no generic claim is finally held to be allowable. In particular, applicants provisionally elect to prosecute the implant species corresponding to Figure 2A, and the tissue treatment system species corresponding to Figure 1. Applicants respectfully submit that all 34 claims that are presently pending are readable on both the elected implant and the elected tissue treatment system species.

During their review of the Action and the Figures, applicants discovered an editorial error. Specifically, reference to "Figure 2I"; made at two separate places in the specification, should have been reference to –Figure 3—instead.


Applicants have now made this correction by way of this Amendment.

Applicants respectfully submit that this change introduces no new matter into the application, as it merely corrects a mislabeling problem.

Applicants look forward to receiving the next communication from the Office.

Should the Examiner deem that any further action on the part of applicants would be desirable, the Examiner is invited to telephone applicants' undersigned representative.

Respectfully submitted,


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